

DECLARATION

ORIGINAL
 CONTINUATION
 CONTINUATION-IN-PART
 DIVISIONAL

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor(s) (**Gene A. Bornzin and Euljoon Park**) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM AND METHOD FOR EVALUATING HEART FAILURE BASED ON
VENTRICULAR END-DIASTOLIC VOLUME USING AN IMPLANTABLE MEDICAL DEVICE**

the specification of which:

is attached hereto.
 was filed on _____ as U.S. Application No. _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R., Section 1.56.

I hereby claim the benefit under 35 U.S.C., Section 119(e), of any U.S. provisional application(s) listed below.

(Application Serial No.)	(Filing Date)
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(Application Serial No.)	(Filing Date)
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I hereby claim the benefit under 35 U.S.C., Section 120, of any U.S. application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior U.S. application in the manner provided by the first paragraph of 35 U.S.C., Section 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R., Section 1.56, which became available between the filing date of the prior application and the national filing date of this application.

(Application Serial No.)	(Filing Date)	(Status)
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(Application Serial No.)	(Filing Date)	(Status)
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I hereby appoint the following attorney(s)/agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Steven M. Mitchell Reg. No. 31,857	Derrick Reed Reg. No. 40,138	Ronald S. Tamura Reg. No. 43,179	Jonathan T. Losk Reg. No. 39,755	Peter A. Nichols Reg. No. 47,822
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Address correspondence to: Derrick Reed, Esq.
 Pacesetter, Inc.
 15900 Valley View Court
 Sylmar, California 91392-9221

Direct telephone calls to: 818/493-2200

Declaration - A04P1029

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Joint Inventor: Gene A. Bornzin

Signature: Gene A. Bornzin

Citizenship: US **Date:** 3/25/04

Residence: Simi Valley, California 93065

Post Office Address: 608 Stonebrook Street

Full Name of Joint Inventor: Euljoon Park

Signature: Euljoon Park

Citizenship: US **Date:** 3/25/04

Residence: Valencia, California 91381

Post Office Address: 27054 Mapletree Court

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gene A. Bornzin and Euljoon Park

Serial No.: Unassigned **Art Unit:** Unassigned

Filing Date: Herewith **Examiner:** Unassigned

For: SYSTEM AND METHOD FOR EVALUATING HEART FAILURE BASED ON VENTRICULAR END-DIASTOLIC VOLUME USING AN IMPLANTABLE MEDICAL DEVICE

Docket No.: A04P1029

**POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR UNDER RULE 37 CFR 3.71**

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned Mark A. Hoffman is a representative authorized to sign on behalf of the assignee of the entire interest in the above-identified subject application, **PACESETTER, INC.**, and hereby appoints:

Steven M. Mitchell	Derrick Reed	Ronald S. Tamura	Jonathan T. Losk	Peter A. Nichols
Reg. No. 31,857	Reg. No. 40,138	Reg. No. 43,179	Reg. No. 39,755	Reg. No. 47,822

as its attorneys/agents to prosecute this application and to transact all business in the United States with the provisions of Rule 32 of the Patent Office Rules of Practice.

PACESETTER, INC., per 37 CFR 3.73(b), certifies that the evidentiary documents with respect to its ownership have been reviewed and that to the best of the undersigned's knowledge and belief, title is in the assignee seeking this action.

PACESETTER, INC., declares that 100% ownership is established by the assignment

X filed for recordation herewith.
 recorded in the U.S. PTO on _____.

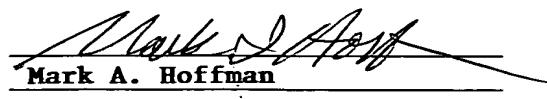
a copy of which is attached.

Please direct all correspondence and phone calls relative to said application as follows:

Derrick Reed, Esq.
Pacesetter, Inc.
15900 Valley View Court
Sylmar, CA 91392-9221
818/493-2200

ASSIGNEE: **PACESETTER, INC.**

Signature:
Typed Name:
Title:
Address:


Mark A. Hoffman
Vice President
Pacesetter, Inc.
15900 Valley View Court
Sylmar, CA 91392-9221

Date: 3/25/2004